

MESSAGE NO: 7004313 MESSAGE DATE: 01/04/2017

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: ADRV-Administrative Review

FR CITE: 81 FR 91116 FR CITE DATE: 12/16/2016

REFERENCE 6166303
MESSAGE #
(s):

CASE #(s): A-588-869

EFFECTIVE DATE: 12/16/2016 COURT CASE #:

PERIOD OF REVIEW: 11/19/2013 TO 04/30/2015

PERIOD COVERED: 11/19/2013 TO 04/30/2015

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liq instructions for diffusion-annealed, nickel-plated flat-rolled steel products from Japan produced and/or exported by Toyo Kohan Co., Ltd. for the period 11/19/2013 thru 04/30/2015 (A-588-869)

1. For all shipments of diffusion-annealed, nickel-plated flat-rolled steel products from Japan produced and/or exported by Toyo Kohan Co., Ltd. (A-588-869-002), imported by the firm listed below, and entered, or withdrawn from warehouse, for consumption during the period 11/19/2013 through 04/30/2015, assess an antidumping liability equal to the percentage listed below of the entered value:

Importer: Toyo Kohan Co., Ltd.

Final rate: 0.00%

2. If a cash deposit was collected as security for an estimated antidumping duty for any shipment of merchandise described in paragraph 1 that was entered, or withdrawn from warehouse, for consumption during the period 11/19/2013 through 05/17/2014, assess antidumping duty liabilities equal to the amount resulting from the application of paragraph 1 or equal to the amount of the cash deposit, whichever is less.

3. As a result of Commerce's clarification of its assessment regulation on 05/06/2003 (68 FR 23954), for all shipments of diffusion-annealed, nickel-plated flat-rolled steel products from Japan produced by Toyo Kohan Co., Ltd., entered, or withdrawn from warehouse, for consumption during the period 11/19/2013 through 04/30/2015, entered under case number A-588-869-002, and not covered by paragraph 1, assess antidumping duties at the all-others rate in effect on the date of entry.

4. If a cash deposit was collected as security for an estimated antidumping duty for any shipment of merchandise described in paragraph 3 that was entered, or withdrawn from warehouse, for consumption during the period 11/19/2013 through 05/17/2014, assess antidumping liabilities equal to the all-others rate in effect on the date of entry or equal to the amount of the cash deposit, whichever is less.

5. Entries for the period 05/18/2014 through 05/27/2014, should be liquidated via message 6166303, dated 06/14/2016.
6. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraphs 1 and 3 occurred with the publication of the final results of administrative review (81 FR 91116, 12/16/2016). Unless instructed otherwise, for all other shipments of diffusion-annealed, nickel-plated flat-rolled steel products from Japan you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.
7. There are no injunctions applicable to the entries covered by this instruction.
8. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.
9. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.
10. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O#6:DC.)
11. There are no restrictions on the release of this information.

Alexander Amdur

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party